



Agriculture Regulatory Review

Baseline Report

Agriculture Regulatory Review Baseline Report

Produced for Lt. Governor Becky Skillman and the Agriculture Regulatory Council

Introduction

Over the last two years, Indiana has seen significant growth in our agricultural economy. With growth comes challenges and a constant need to review systems and processes. Therefore, the Administration has spent much time studying these programs to insure continued economic progress with the highest level of confidence in environmental and animal health protection.

In October 2005, the Lieutenant Governor's Office initiated a review of the status of agriculture regulation in Indiana. The Agriculture Regulatory Council was formed to provide input to this review. The council included representatives from all agencies currently involved in agriculture regulatory functions. To guide this process, the following document was developed to overview the current state of agriculture regulation in Indiana and to summarize other state's regulatory structures. It also sets forth principles to follow in the final report.

The findings of this internal review provide a foundation for a collaborative effort with stakeholders to pursue opportunities for improved efficiency and effectiveness. It serves as a fundamental step in the process to anticipate challenges in a growing and changing agricultural industry.

Section A. Current State of Agriculture Regulation in Indiana

I. Board of Animal Health (BOAH)	2
II. Indiana Department of Environmental Management (IDEM)	3
III. Indiana Department of Natural Resources (IDNR)	4
IV. Indiana State Department of Agriculture (ISDA)	4
V. Indiana State Department of Health (ISDH)	5
Offices located at Purdue:	
VI. Creamery License Division (CLD)	5
VII. Office of the Indiana State Chemist (OISC)	5
VIII. State Egg Board (SEB)	6
IX. Purdue University (Purdue)	6
Other agriculture regulations in Indiana Code:	
X. Governor or Governor's designee	6
XI. No Agency	6
Non-regulatory, but closely related to one or more above	
XII. Animal Disease Diagnostic Laboratory (ADDL)	6
XIII. Indiana Grain Indemnity Fund	6

<u>Section B. Other State’s Agriculture Regulatory Structure</u>	
OHIO.....	7
MICHIGAN.....	7
ILLINOIS	13
KENTUCKY	14
WISCONSIN	15
IOWA	16
MISSOURI	16

<u>Section C. Scope of Specific State Government Functions to be Included in Review</u>	
Proposed Grouping for Scope of Work	19

<u>Section D. Principles to Follow in Final Report</u>	
Proposed Principles to Follow.....	20

<u>Section E. Final Report and Next Steps</u>	
Final Report.....	21

I. Board of Animal Health (BOAH)

Statutory citation:

IC 15-2.1-3 Board of Animal Health

IC 15-5-14 Livestock Brands

Regulatory responsibilities:

Animal Health

BOAH's team of veterinarians and animal health inspectors investigate possible outbreaks of disease and advise animal owners about disease prevention. BOAH works to eradicate, control and prevent potentially economically devastating livestock diseases, which ensure that Hoosier farmers avoid domestic and international trade barriers.

The BOAH staff works closely with veterinarians, farmers, U.S. Department of Agriculture veterinarians and other states' animal health officials to monitor the health status of all animals crossing Indiana's borders. BOAH veterinarians also work closely with producers to develop strategies to eradicate existing diseases and prevent the introduction of new infections.

BOAH also regulates the care and handling of livestock being bought and sold in Indiana, by licensing and inspecting livestock market facilities, auctions and renderers.

BOAH's Companion Animal/Equine Division monitors the overall health of the horse and small animal populations. Because these animals have the closest and most frequent contact with people, preventing the spread of diseases like rabies is part of protecting human health.

Administrative Code citations:

345 Indiana Administrative Code

Article 1. Domestic Animal Disease Control; General Provisions
Article 2. Cattle, Goats, and other tuberculosis or brucellosis carrying animals
Article 2.5 Tuberculosis Control
Article 3. Swine
Article 4. Poultry
Article 5. Scrapie
Article 6. Equine
Article 7. Livestock dealers, marketing, exhibitions, and slaughter livestock

Food Safety

BOAH inspectors scrutinize the cleanliness and handling of meat and poultry products in state-certified processing plants. BOAH dairy inspectors monitor the safety of Indiana milk from the farm to the processing factory. Inspectors test milk samples for drug residues and harmful pathogens four times throughout the production, transport and processing stages, before any dairy product arrives at the supermarket.

Administrative Code citations:

345 Indiana Administrative Code
Article 8. Dairy Products
Article 9. Meat and meat products inspection
Article 10. Poultry and poultry products inspection
Article 11. Humane slaughter of animals and poultry

II. Indiana Department of Environmental Management (IDEM)

Statutory citation:

IC 13-13-1 Establishment of Department
IC 13-18-10 Confined Feeding Control

Confined feeding operations permitting

IDEM is responsible for reviewing confined feeding operation approval applications. An application is needed for new confined feeding operations, any expansions of existing confined feeding operations, and for existing confined feeding operations never before approved.

Administrative Code citations:

327 Indiana Administrative Code
Article 5-4-3, 3.1, 4, and 5 – Rules for NPDES Individual Permit
Article 15. Rule 15. NPDES General Permit Rule Program, Concentrated Animal Feeding Operations
Article 16. Confined Feeding Operations

III. Indiana Department of Natural Resources (IDNR)

Statutory citations:

IC 14-9-1 Creation of Department
IC 14-24-1 through 12 Entomology and Plant Pathology

Division of Entomology and Plant Pathology

Our Mission is to Manage Plant and Apiary Pests for the Preservation and Protection of Cultivated and Natural Resources, to Facilitate Trade, and to Enhance the Quality and Appreciation of the Environment.

NURSERY INSPECTION & CERTIFICATION
APIARY INSPECTIONS
QUARANTINES
BIOLOGICAL CONTROL PROGRAMS
PHYTOSANITARY PROGRAM
PERMITS & LICENSES
EXOTIC & INVASIVE PEST SPECIES SURVEY & MONITORING

Administrative Code citations:

312 Indiana Administrative Code
Article 18. Entomology and Plant Pathology
Article 19. Research, Collection, Quotas, and Sale of Plants

IV. Indiana State Department of Agriculture (ISDA)

Statutory citations:

IC 15-9-2 Establishment of the Department
IC 15-4-12 Indiana Organic Certification Accreditation
IC 24-6-7 Grading and Labeling Certain Fruits
IC 4-4-27 Inspection of Grain Moisture Testing Equipment
IC 26-3-7 Indiana Grain Buyers and Warehouse Licensing and Bonding Law
IC 26-4 Grain Indemnity Program

Administrative Code citations:

375 Indiana Administrative Code
ARTICLE 1. INDIANA ORGANIC CERTIFICATION STANDARDS
ARTICLE 2. INDIANA DAIRY EXPORT CERTIFICATION PROGRAM

824 Indiana Administrative Code
INDIANA GRAIN BUYERS AND WAREHOUSE LICENSING AGENCY

V. Indiana State Department of Health (ISDH)

Statutory citation:

IC 16-19-1 Establishment of State Department of Health

IC 24-06-03 State and Local Weights and Measures Programs

Food Protection Program

The Food Protection Program is divided into three different areas. The Retail division provides training to local health departments, inspects food operators on state property, and provides technical assistance to consumers and businesses.

The Wholesale division inspects food manufacturing plants, processors, warehouses, packagers, and transporters of food products for distribution to another entity for resale or redistribution. The Wholesale division provides technical assistance to businesses.

The newly formed Food Security Section provides guidance to Indiana's food producers, processors, and distributors on how to conduct vulnerability assessments and develop food security plans.

Administrative Code citations:

410 Indiana Administrative Code

ARTICLE 7. FOOD AND DRUGS

ARTICLE 12 Weights and Measures Regulations

VI. Creamery License Division (CLD)

Statutory citation:

IC 15-6-1 Milk and Cream Purchases

Administrative Code citations:

365 Indiana Administrative Code

ARTICLE 2. DAIRY PROCESSING PLANT AND RECEIVING STATIONS

VII. Office of the Indiana State Chemist (OISC)

Statutory citations:

IC 15-3-3-2 State Chemist

IC 15-3-2 AGRICULTURAL AMMONIA

IC 15-3-3 COMMERCIAL FERTILIZERS

IC 15-3-3.3 COMMERCIAL LAWN CARE SERVICE FERTILIZERS

IC 15-3-3.5 PESTICIDES

IC 15-3-3.6 PESTICIDE USE AND APPLICATION

IC 15-5-13 COMMERCIAL FEED

IC 15-4-1 INDIANA SEED LAW

IC 15-4-4 REGULATION OF SALE AND TRANSFER OF PLANT CULTURES

IC 15-4-11 INDIANA SEED ARBITRATION COUNCIL

IC 15-4-13 INSPECTIONS UNDER SEED CONTRACTS

IC 25-31.5 PROFESSIONAL SOIL SCIENTISTS

Administrative Code citations:

355 Indiana Administrative Code

ARTICLE 1. PLANT INOCULANTS AND GROWTH STIMULANTS (EXPIRED)

ARTICLE 2. COMMERCIAL FERTILIZERS

ARTICLE 3. AGRICULTURAL AMMONIA

ARTICLE 4. PESTICIDE USE AND APPLICATION

ARTICLE 5. STORAGE AND SECONDARY CONTAINMENT OF PESTICIDES

ARTICLE 6. ANIMAL FOODS

357 Indiana Administrative Code

ARTICLE 1. DEFINITION; USE OF PESTICIDES

360 Indiana Administrative Code

ARTICLE 1. STANDARDS FOR SEED AND SEED LABELING

VIII. State Egg Board (SEB)

Statutory citation:

IC 16-42-11 Food: Eggs Offered for Sale and State Egg Board

Administrative Code citations:

370 Indiana Administrative Code

STATE EGG BOARD

IX. Purdue University

Statutory citation:

IC 15-4-6 Regulation of Agricultural Seeds and Plant Parts by Certification

X. Governor or Governor's designee

Statutory citation:

IC 15-4-9 Certification of Agricultural Products

IC 15-5-16 Livestock Certification

XI. No Agency – Officer of the Peace may enforce

Statutory citation:

IC 15-4-5 Records Required of Deliveries and Purchases of Seed and Grain

XII. Animal Disease Diagnostic Laboratory (ADDL)

Statutory citation:

IC 15-2.1-5 Animal Disease Diagnostic Laboratory

XIII. Indiana Grain Indemnity Program

Statutory citations:

IC 26-4 Grain Indemnity Program

Administrative Code citations:

825 Indiana Administrative Code

INDIANA GRAIN INDEMNITY CORPORATION

Section B. Other State's Agriculture Regulatory Structure

OHIO

Ohio Department of Agriculture

- Amusement Ride Safety
- Animal Disease Diagnostic Lab
- Animal Industry
- Auctioneer Program
- Consumer Analytical Lab
- Dairy
- Dog Fighting Task Force
- Enforcement
- Food Safety
- Livestock Environmental Permitting Program
- Meat Inspection
- Plant Industry
 - Apiary; Apiculture
 - Grain Warehouse, Feed & Seed
 - Pesticide & Fertilizer Regulation
 - Plant Pest Control
- Weights & Measures

Ohio Environmental Protection Agency

- NPDES/CAFO Permitting

MICHIGAN

Michigan Department of Agriculture

Animal Industry Division

Animal Production Food Safety - The state has a cooperative educational program for veterinarians and livestock producers to help reduce the incidence of drug residues in food animals. There is also a program to improve food safety by enhancing animal health on the farm.

Animal Welfare - AID monitors health and care of animals at a variety of licensed facilities including pet shops, animal control and protection shelters, and riding stables. AID works with local law enforcement and animal welfare agencies to investigate complaints of inhumane treatment of livestock and domestic animals.

Avian Monitoring - AID works with Michigan Allied Poultry Industries, Inc. to maintain Michigan's status as Salmonella pullorum-free.

Bovine Tuberculosis - AID leads Michigan's concerted effort to eliminate TB from cattle and captive deer farms, in partnership with the Michigan Departments of Natural Resources and Community Health, USDA, MSU and the livestock industry. More than 230,000 animals were tested in 2000 and by 2003, every cattle, goat and bison herd in Michigan will be tested.

Equine Infectious Anemia - EIA is a disease caused by a virus that produces anemia, intermittent fever, and severe weight loss. Equidae (e.g., horses, ponies, mules and donkeys) are the only known animals affected by this virus. Once an animal is infected with the virus, it is infected for life, regardless of the severity of the symptoms. Animal Industry Division veterinarians conduct the testing and retesting of animals. This is to prevent the spread of the disease by quarantine and/or euthanasia or slaughter. Currently, there is no vaccine to help prevent infections with the EIA virus.

Licensing Responsibilities - AID licenses and regulates a variety of animal industries including: livestock dealers, truckers, sales and auction markets, renderers (carcass dealers), riding stables, pet shops, animal control/ protection shelters and commercial fish hatcheries and aquaculture facilities.

Reportable Diseases - AID investigates all reportable diseases cases to stop the spread of disease to humans and other animals.

Pseudorabies Eradication - Pseudorabies is a disease that has had significant economic impact on Michigan's pork industry. There is a unique partnership between state and industry that has allowed Michigan to achieve initial pseudorabies-free status. Swine infected with Pseudorabies do not grow to market weight as fast and often have reproductive problems or die, which translates into a higher price for consumers at the meat counter.

Scrapie Risk Reduction - In partnership with MSU and the sheep industry, AID introduced a program that seeks to track the genetic code for the fatal scrapie disease to prevent its spread from flock to flock.

Environmental Stewardship Division

Conservation Districts - The Division works cooperately with Michigan's 82 conservation districts who deliver ESD's soil, water and energy conservation programs directly to landowners.

Conservation Reserve Enhancement Program (CREP) - Michigan's Conservation Reserve Enhancement Program (CREP) was created to help protect our environment and wildlife. Michigan is partnering with the federal government to implement conservation practices of great significance to the state, and valuable to the nation, in matters of soil erosion, water quality, and wildlife habitat.

Farmland and Open Space Preservation Program - This program consists of five methods for preserving farmland and open space in Michigan.

Forestry Assistance Program (FAP) - Under an agreement with the Michigan Department of Natural Resources (MDNR), the Michigan Department of Agriculture (MDA) awards Forestry Assistance Program (FAP) grants to Conservation Districts (CD) across the state to provide education and one-on-one technical assistance to private landowners and communities. The purpose of the FAP grant is to assist Conservation Districts in their efforts to help Michigan citizens better understand, plan, manage, protect and utilize their forest resources. Forest health issues include, but are not limited to, Emerald Ash Borer, Oak Wilt, and Beech Bark Disease.

Intercounty Drains - ESD staff monitor more than 1,000 intercounty drains with a combined length of over 10,000 miles. ESD provides direction, holds public hearings, and oversees construction and financing of intercounty drain work.

Michigan Biosolids Land Application Program - ESD provides education and assistance to encourage the increased use of biosolids recycling and application.

Michigan Clean Sweep - This program focuses on developing a system for the legal, safe disposal of old, unwanted, suspended or canceled pesticides. By providing for proper disposal, MDA and EPA reduce the potential for adverse environmental impacts.

Michigan Emergency Tube - This is an educational tool for assisting Michigan farmers in developing emergency response plans specific to their farms.

Michigan Groundwater Stewardship Program (MGSP) -The goal of the MGSP is to protect groundwater resources through voluntary, locally driven initiatives that address the concern of individuals and maintain a focus on realistic solutions and the financial and technical constraints which drive real-world decisions. Included are two highly successful initiatives: Michigan Clean Sweep and the Pesticide Container Recycling Program.

Michigan Turfgrass Environmental Stewardship Program - In 1998, Michigan became the first state to launch a voluntary environmental evaluation program for golf courses. Golf courses helped develop the program, which seeks to lower risk of groundwater contamination and support wildlife habitat.

Migrant Labor Housing - ESD licenses and inspects Michigan's 4,500 migrant labor housing units. The units are licensed annually and inspected twice a year.

Pesticide Management Plans - The plan describes how Michigan will reduce groundwater risks posed by certain pesticides as required by the Environmental Protection Agency.

Right-to-Farm - Michigan has one of the most effective Right-to-Farm laws in the nation. The legislation directs the Michigan Commission of Agriculture to adopt Generally

Accepted Agricultural Management Practices and review them annually. These practices help farmers protect the environment and minimize nuisance conditions.

Soil Survey - Technical soil maps are developed for the basis of production and resource management decisions.

Spill Response Team - Through rapid response and land application of recovered materials, Michigan saves tens of millions of dollars in cleanup costs from agricultural spills.

Food and Dairy Division

Dairy Product Assurance - Through the efforts of the Dairy Section, Michigan consumers are assured the safest and most wholesome milk supply available in the world. Michigan dairy farmers produce about 5.5 billion pounds of milk annually, ranking the state eighth in the nation for milk production. By inspecting Michigan's 3,221 Grade A and 401 manufacturing Grade milk producing farms on a regular basis, 20 Dairy Section inspectors insure that all fluid milk for bottling in the state meets stringent standards. In addition, cheese factories, butter plants and ice cream facilities are checked for sanitation. Over 5,600 samples of dairy products are analyzed each year at the department's laboratory to assure that standards are met. The Dairy Section also protects the public from false labeling of dairy products so consumers can buy with confidence.

Food Safety Alliance - Created by MDA, this coalition is a partnership among government agencies, private industry, trade associations, consumers and Michigan State University to address current and emerging food safety policy issues.

Food Service Oversight - FDD oversees food service sanitation programs for 37,000 establishments throughout the state, such as restaurants, cafeterias, temporary food vendors and commissaries.

Michigan Food Law of 2000 - The new law was adopted on May 8, 2000, and took effect on November 8, 2000. It sets new regulatory standards for all licensed food establishments. The law will raise food safety standards, educate on ways to reduce foodborne contamination, streamline inspection systems and increase penalty options for violations.

Regulation of Food Establishments - Fifty food inspectors are responsible for inspecting the state's diversified food establishments, which include bakeries and breweries, groceries and grain mills, fruit processors and water bottlers. Over 21,000 establishments are licensed yearly. Inspectors investigate over 1,600 complaints annually and, in 1998, they seized and supervised the disposition of \$6.25 million worth of food that violated food safety standards.

Solving Foodborne Illness: Food SAFE Team - Along with close relationships with local health departments, Michigan Department of Community Health and the United States Food and Drug Administration, FDD has created an interagency Food SAFE (Special

Actions for Food Emergencies) Team. This team has a mandate to address all food safety emergencies.

In conjunction with addressing food safety, samples are taken regularly of food ranging from ground meats to maple syrup to deli salads. Samples may be analyzed for contaminants, foreign objects, illegal additives, fat content or pathogens.

Laboratory Division

Environmental Protection - Laboratory scientists analyze groundwater for contamination, test samples of seeds for weeds, and investigate incidences of suspected pesticide misuse.

Food Safety - Geagley Laboratory analyzes food, dairy and beverage products for pasteurization, drug residues, pathogens, pesticide residues, toxic substances, and foreign materials.

Livestock Testing - Lab tests ensure that livestock are disease-free and meet state and federal requirements for shipping across county, state and national borders.

Motor Fuels Quality - The Laboratory Division also houses the Motor Fuels Quality Program and the Weights and Measures Program. The administrative personnel for these programs are located at the E.C. Heffron Laboratory. The Motor Fuels Quality Program establishes and regulates the sale and quality of motor fuels through licensing, investigation, inspection and sampling to ensure the fuels that consumers buy contain the proper materials and abide by legal standards. The Motor Fuels Quality Program Hotline number is 1-800-MDA-FUEL. The Weights and Measures Program, through the enforcement of applicable laws and regulations, prevents economic fraud and deception by testing all weighing and measuring devices. This ensures that when a product is weighed or measured, it is done accurately.

Product Labels - Product label accuracy is tested to verify nutritional content for consumer and animal foods.

Weights and Measures - This program prevents economic deception by checking the accuracy of over 200,000 commercial weighing and measuring devices, the proper net content of packaged commodities, and proper methods of sale at over 50,000 retail establishments and production facilities in Michigan. The state-of-the-art E.C. Heffron Metrology Laboratory provides support to the program and Michigan industry by providing mass, volume and length calibrations that are in accordance with national standards.

Office of the Racing Commissioner

The Office of Racing Commissioner (ORC) oversees the activities of the pari-mutuel horse racing industry in Michigan. The Racing Commissioner is appointed to a four-year term by the Governor, with approval from the Senate.

Commission staff issue track, race meeting and simulcasting permits, allocate race date and simulcasting schedules, collect racing license and tax revenues, appoint stewards and veterinarians to represent the state at the track, conduct equine and human drug testing programs, and investigate racing irregularities that may lead to legal action.

Pesticide & Plant Pest Management Division

Agriculture Products Verification - PPPM staff monitors the quality of commercial grain elevators, feed mills, commercial animal feed for livestock and pets, fertilizer and lime, animal remedy products and storage facilities for agrichemicals.

Exotic Pest Control - MDA oversees programs to monitor and control the spread of exotic pests including the Japanese beetle, gypsy moth, pine shoot beetle, and Asian longhorned beetle.

Food Quality Protection Act (FQPA) - Federal and state resources support an on-going public/private partnership, designed to collect pesticide use and resulting residue data, and explore alternative pest management and residue reduction practices.

Fruit and Vegetable Inspection - PPPM provides third-party inspection services to verify fruit and vegetable grading under government standards and processor specifications. Staff also inspect and license controlled atmosphere storage rooms.

Gypsy Moth Management - PPPM operates the Michigan Cooperative Gypsy Moth Suppression Program that cooperates local programs, providing relief to homeowners in heavily infested areas.

Insect and Rodent Control Program - The Division provides oversight and support to local units of government that conduct eastern equine encephalitis, lyme disease, rodent control, swimmers' itch and mosquito control programs.

Nursery/Plant Certification - Over 2,000 growers and 5,200 dealers are certified and licensed by MDA to conduct business in the nursery trade. This ensures pest-free stock for consumers, and assures market access for growers. Inspection includes Michigan-grown and imported plant materials.

Pesticide Regulation - PPPM is responsible for overseeing the appropriate use of pesticides in Michigan including enforcement, certification, registration and worker protection standards.

ILLINOIS

Illinois Department of Agriculture

Agricultural Products Inspection

The department examines feed, seed and fertilizer products for quality and inspects ammonia applicators to ensure safety. Staff test seed for purity, noxious weed content and germination. They also test seed conditions for shipping purposes, check seed bag labels for accuracy and analyze seed quality for individual producers on a fee-for-service basis. The department evaluates feed content and fertilizer quality. It issues certificates of free sale which verify exports meet state and federal quality standards. The department also publishes a directory of limestone sales outlets and product quality.

Food Inspection

Department inspectors ensure consumers receive wholesome, properly identified meat and poultry products by inspecting slaughter and processing facilities. Licensing of cold warehouses and meat brokers as well as inspection of facilities that sell, serve or process eggs are conducted for proper handling, storage, accuracy in grading and labeling is also handled by this division.

Nursery, Nursery Stock Dealer, Greenhouse Inspection & Certification

The Department's Bureau of Environmental Programs staff of nursery Inspectors certifies and inspects nearly 1,200 nurseries in Illinois each year. These nurseries comprise of nearly 30,000 acres of nursery stock, 5,500 acres of Christmas trees, and 17,000 acres of sod. Inspectors also inspect and certify on average 40 shipping greenhouses twice per year. At present nearly 3,300 nursery stock dealers are registered by the Bureau of Environmental Programs. Inspections of these plant and plant products benefit both consumers and growers by ensuring pest free plant stock.

Phytosanitary Certification for Export

The Department's Bureau of Environmental Programs is responsible for inspection and certification of plants and plant products for export through the USDA Phytosanitary Certification program. All Bureau of Environmental Programs nursery inspectors are certified by the USDA as Accredited Certifying Officials. This designation allows each inspector to perform inspections and issue Federal Phytosanitary Certificates. Bureau staff assists exporters in complying with the regulations of each foreign country to which the grower or company is exporting. Each inspector also performs inspections and issues State Phytosanitary Certificates. On average, the Bureau of Environmental Programs issues 6,100 Phytosanitary Certificates for exports valued at nearly 4 billion dollars from the State of Illinois each year. Examples of plant and plant products exported are corn seed, corn meal, corn grits, popcorn, soybeans, sunflower seed, flower and vegetable seed, onion sets, orchids, ornamental nursery stock, and greenhouse plants.

Meat and Poultry Inspection

The Bureau of Meat and Poultry Inspection is responsible for administration of the Meat and Poultry Inspection Act which protects the consumer in relation to wholesomeness, deceptive

advertising and proper labeling of meat and poultry products. Inspection coverage includes all aspects of intrastate slaughter and processing from ante mortem (before death) inspection through slaughter and processing and to the retail level.

Animal Health Regulation

Bureau of Animal Health is responsible for detection and eradication of various animal diseases. The Agriculture Department licenses individuals and businesses, such as auction markets, livestock dealers, feeder swine dealers and slaughter buyers, who purchase and sell livestock for a fee or assume ownership of livestock to resell at a profit.

Pesticide Use

Pesticides are an important management tool in agricultural production. They increase yields and reduce the presence of foreign materials in some commodities. The Illinois Department of Agriculture takes action when misuse occurs and helps producers use pesticides responsibly.

Weights and Measurements Certification

The agency annually tests more than 91,000 commercial weighing and measuring devices such as gasoline pumps; scales for groceries, freight, coal and trucks; and grain moisture meters. Inspections benefit both buyers and sellers of goods by ensuring the devices' accuracy.

Grain Dealer and Warehouse Inspection and Licensure

In addition to inspecting and licensing grain dealer and warehouse operations, the department administers one of the strongest grain insurance programs in the nation. The Illinois Grain Insurance Fund protects producers against certain losses associated with failed grain facilities and enhances the stability of the grain industry. Department staff also register grain cooperatives and specialty farm product buyers and regulate personal property, commercial distribution and refrigerated warehouses.

Soybean Rust Program

The purpose of the program is to detect and eradicate soybean rust if and when it appears in Illinois. If soybean rust goes undetected and untreated, it can cause up to an 80% reduction in soybean yields.

Illinois Department of Environmental Management

Concentrated Animal Feeding Operations (CAFO)

The Illinois Department of Environmental Management is responsible for implementing the EPA's NPDES program for CAFOs.

KENTUCKY

Kentucky Department of Agriculture: a consumer protection and service agency

Office of the State Veterinarian

Division of Animal Health

- Monitoring and Surveillance Activities
- Disease Prevention Programs
- Licensing
- Stockyards

Division of Producer Services

- Personnel, Budget, Administrative Support
- National Animal Identification System
- Liaison between producer groups

State Apiarist

Office of Consumer & Environmental Protection

Division of Regulation & Inspection

- Amusement Rides
- Eggs
- Gas Pumps
- Grain Regulation Branch
- Metrology Laboratories
- Limestone
- Meters, Packages, Scales and Scanners
- Motor Fuel Quality
- Tobacco Warehouse

Division of Food Distribution

- National School Lunch/Charitable Institution Program
- Commodity Supplemental Food Program
- The Emergency Food Assistance Program
- State Approved Processors
- Commercial Distributors
- FMNP Farmers Market Program

Division of Environmental Services

Agriculture Branch

- Commercial Pesticide and Fertilizer Applicator Licensing
- Compliance Assistance
- Inspections

Pest & Weed Branch

Training & Testing

Structural Branch

Technical Support Branch

Pesticide Product Registration

Kentucky Department of Environmental Protection

NPDES/CAFO Permitting

WISCONSIN

Wisconsin Department of Agriculture, Trade and Consumer Protection

Agricultural Resource Management

Protects the state's environmental resources and human health.

Animal Health

Protects the health of the state's farm animals - a multi-billion dollar industry.

Food Safety

Protects the purity of the state's food supply, from farm gate to dinner plate.

Trade and Consumer Protection

Enforces consumer protection laws and has broad authority to regulate business practices.

University of Wisconsin

Animal Disease Diagnostic Laboratory

Wisconsin Department of Natural Resources

Water Division

NPDES permits for CAFOs

IOWA

Iowa Department of Agriculture and Land Stewardship

Consumer Protection and Animal Health Division

Animal Industry Bureau

Dairy Products Control Bureau

Meat and Poultry Inspection Bureau

Weights and Measures Bureau

Plant Management and Technology Division

Commercial Feed and Fertilizer Bureau

Entomology and Plant Science Bureau

Grain Warehouse Bureau

Pesticide Bureau

Dairy and Food Laboratory

Drug and Vitamin Laboratory

Feed and Fertilizer Laboratory

Pesticide Laboratory

Iowa Department of Natural Resources

DNR Bureaus with animal feeding operation functions:

Water Quality; Field Services & Compliance; Air Quality; Geologic Survey and Land Quality.

MISSOURI

Missouri Department of Agriculture

Animals & Animal Products

- Animal Care Facilities Act Program
- Aquaculture
- Cattle
- Dairy/Poultry
 - Egg Licensing/Inspection
 - Milk Licensing/Regulations
 - Milk Safety
 - NPIP/MPIP
 - Poultry
- Dead Animal Reporting
- Deer & Elk
- Diseased Animals Law
 - Control Programs
 - Animal Diagnostic Lab
 - Reportable Diseases
 - Livestock Permit Guide
 - LPES
- Food Safety & Quality Assurance
- Garbage Feeding
- Horses
- Livestock Branding
- Livestock Marketing
 - International Marketing
- Meat & Poultry Inspection
- Regulations & Permits
- Sheep & Goats
- Swine
- Veterinarian Licensing

Inspections, Licenses & Permits

- Device & Commodity
- Egg
- Export Certification
- Feed
- Fuel Quality
- Grain
- Livestock Dealers and Markets
- Meat
- Metrology & Moisture Meter
- Milk
- Nursery/Greenhouse
- Pesticides

Petroleum/Propane/Anhydrous Ammonia
Vet License

Pest Management

Export Certification
Integrated Pest Management
Noxious Weed
Nursery/Greenhouse
Pesticides:
 Certification Exam Schedule
 Endangered Species
 Enforcement & Inspections
 Pesticide Applicator Training
 Pesticide Licenses
 Pesticide Registration
 Pesticide Use Act
 Water Quality
 Worker Protection
Plant Pests & Diseases:
 Asian Long-horn Beetle
 Forest Disease/Health Issues
 Gypsy Moth
 Soybean Rust
Treated Wood Products

Plants, Grain, Feed & Seed

Export Information:
 Export Certification
Feed & Seed:
 Feed Regulation
 Seed Regulation
Fertilizer
Grain Inspection Services
Grain Moisture Meters
Grain Regulatory Services:
 Grain Dealer Law, Rules & Regulations
 Grain Warehouse Law, Rules & Regulations
Grapes
Horticulture/Forestry:
 Apiary (Bee) Certification
 Nursery/Greenhouse
 Treated Wood Products

Missouri Department of Natural Resources

Division of Environmental Quality
CAFO/NPDES Permits

Section C. Scope of Specific State Government Functions to be Included in Review

Proposed Grouping for Scope of Work

Animal Industry

Environmental quality

Food Safety

Plant Industry

Animal Industry

Animal Health BOAH

Animal Feed OISC

Disease Diagnostic Laboratory ADDL

Environmental quality

State CFO permits IDEM

Federal CAFO/NPDES permits IDEM

Pesticide and fertilizer storage and use rules OISC

Food Safety

Food Safety ISDH

Meat and Poultry Inspection BOAH

Dairy BOAH

Dairy Export Certification ISDA

Dairy Processing Plants and Receiving Stations CLD

Eggs Offered for Sale SEB

Plant Industry

Grain Warehouse Licensing ISDA

Grain Indemnity Corp ISDA

Inspection of Grain Moisture Testing Equipment ISDA

IC 15-4-5 Records Required of Deliveries and Purchases of Seed and Grain

IC 24-6-7 Grading and Labeling Certain Fruits ISDA

Organic Certification ISDA

Entomology and plant pathology IDNR

Pesticide registration OISC

Fertilizer proper labeling OISC

Seed proper labeling OISC

IC 15-4-6 Regulation of Agricultural Seeds and Plant Parts by Certification – Purdue

IC 15-4-9 Certification of Agricultural Products – Governor or Governor's designee

Section D. Principles to Follow in Final Report

Proposed principles to follow in final report (in no particular order):

- Indiana's governmental structure must facilitate agricultural regulations that are science-based.
- All agricultural regulatory programs must be cost efficient and held to the highest level of public accountability.
- The regulation of agriculture must be streamlined, well coordinated, able to meet the demands of the global economy, and able to provide top-tier public health and environmental protection for all Hoosiers.
- The regulations, programs, and structure of government functions must meet the future challenges of the agricultural industry.
- Any duplication or obsolescence of services or programs must be removed or reduced.

Additional comments from Agriculture Regulatory Council meeting:

- Review by Office of Management and Budget (OMB) and the Government Efficiency group doing the PROBE reports is important to evaluate budgetary ramifications of any recommendations. Also, the final report should look for creative ways of funding current and future programs.
- It is important to review areas that are not currently regulated by the state.
- In areas where the agricultural economy is growing and expanding, the review should assess whether structural changes are necessary to accommodate future growth.
- Not all farmers and other agricultural regulated entities are the same, even though many laws and rules were written when they were. There needs to be an overarching strategy to develop regulatory solutions that reflect these differences and are poised for a rapidly changing industry (size, biosecurity, etc.).
- The review must determine the best type of state infrastructure to facilitate effective implement of statutory responsibilities by our state agencies.

Section E. Agriculture Regulatory Review: Final Report and Next Steps

The Agriculture Regulatory Council, convened by Lt. Governor Skillman on October 24, 2005, was the first ever meeting of all agricultural regulatory agencies at the same time. Lt. Governor Skillman directed staff of the various agencies to work together to review all agricultural regulatory programs. The Agricultural Regulatory Review (ARR) was led by Chad Frahm from the Lt. Governor's Office and Kari Evans from the Governor's Office.

The ARR team consisted of representatives from the State Department of Agriculture, Department of Natural Resources, Department of Environmental Management, State Department of Health, Board of Animal Health, Office of the Indiana State Chemist, and Purdue University.

ARR met four times during April-June, 2006. The meetings reviewed the current state of agricultural regulations in Indiana, reviewed areas of common responsibility among agencies, developed and discussed ideas for improvement, and worked to develop a plan for better coordination.

Many discussions focused on whether general "tweaks" were needed to the system or whether a "bold" change was needed. Group consensus was that necessary tweaks to the system should be pursued by each individual agency and that any additional changes would need more research and thought. Individually, no agency was in favor of relinquishing any substantial duties or responsibilities they currently have, but were open to taking on additional responsibilities currently handled by other agencies. Any decision on major changes to the current system can only come from the top of the administration after weighing all programs and agency input, or from the legislative process.

All agreed better coordination and communication among the agricultural regulatory agencies and between state government and the public is needed. Therefore, the following proposal for an Agriculture Regulatory Ombudsman was created.

Proposal:

To foster better cooperation and coordination among state agencies with agriculture regulatory functions, and given that all agencies have limited time and resources on their own to devote, an Agriculture Regulatory Ombudsman should be appointed who coordinates with all relevant agencies to accomplish the above goals.